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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN JOSE DIVISION

12 HONGJUN YUAN; and MEIMEI FU,) No. C 07-3750 JL
13 Plaintiffs,)
14 v.)
15 MICHAEL CHERTOFF, Secretary,) DECLARATION OF MELANIE PROCTOR
Department of Homeland Security;)
16 ROBERT S. MUELLER, Director of the)
Federal Bureau of Investigation,)
17 Defendants.)
18 _____)

19 I, Melanie Proctor, declare and state as follows:

20 1. I am employed by the United States Attorney's Office, Northern District of
21 California, as an Assistant United States Attorney. My current employment address is 450 Golden
22 Gate Avenue, Box 36055, San Francisco, California, 94102. I am the attorney assigned to the
23 above-captioned matter.

24 2. Plaintiffs Hongjun Yuan and Meimei Fu served the United States Attorney's Office
25 with the Complaint on or about July 24, 2007. Accordingly, pursuant to Fed. R. Civ. P. 12(a)(3)(A),
26 Defendants' Answer is due on September 24, 2007.

27 3. On September 7, 2007, Plaintiffs moved the Court to grant summary judgment in
28 their favor.

PROCTOR DECLARATION
C 07-3750 JL

4. In their Complaint and in their Motion, Plaintiffs allege that Defendants have unreasonably delayed action on their applications for adjustment of status. Defendants are still in the process of investigating the claims raised, and will be unable, in the time allowed, to gather affidavits and present facts essential to justify Defendants' opposition to Plaintiffs' motion.

Signed this 10th day of September, 2007, in San Francisco, California.

s/Melanie Proctor
MELANIE PROCTOR